

## Message Text

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71

ORIGIN TRSE-00

INFO OCT-01 EA-07 ISO-00 EB-07 FEA-01 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05

L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15

STR-04 ITC-01 PRS-01 SP-02 OMB-01 NSCE-00 SSO-00

USIE-00 INRE-00 /082 R

DRAFTED BY TREASURY:HSHELLY:MEH

APPROVED BY EB/OT/STA:BBISHOP

TREASURY:PSUCHMAN

EA/PHL:RWILLNER

----- 084882

O 140009Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY MANILA IMMEDIATE

LIMITED OFFICIAL USE STATE 036586

E.O. 11652: N/A

TAGS: ETRD, RP

SUBJECT: COUNTERVAILING DUTY INVESTIGATION - CERAMIC  
WALL TILE

REF: (A) MANILA 2229, (B) STATE 29118

1. USG CANNOT ACCEPT PROPOSAL SET FORTH PARA 2, REFTTEL A.  
TYPE OF AGREEMENT CONTEMPLATED BETWEEN MARIWASA AND FIL  
HISPANO WOULD APPEAR TO BE VIOLATION OF US ANTITRUST LAWS.  
EMBASSY SHOULD NOT, RPT NOT, ENCOURAGE OR PARTICIPATE IN  
NEGOTIATION OF THIS TYPE OF MARKET SHARING ARRANGEMENT.

2. IN CLARIFICATION OF REFTTEL B, IT IS NOT NECESSARY FOR  
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GOP TO PROMISE NO FUTURE EXPORTS BY FIRMS RECEIVING

BENEFITS UNDER INVESTMENT INCENTIVE AND EXPORT INCENTIVE ACTS, ALTHOUGH USG WOULD WELCOME SUCH ASSURANCE TO RESOLVE CASE. TREASURY COULD AS AN ALTERNATIVE ACCEPT GOP ASSURANCES THAT AS OF FEBRUARY 26 (DATE FINAL TREASURY DETERMINATION IS REQUIRED) NO FIRMS RECEIVING BENEFITS UNDER THESE ACTS ARE EXPORTING CERAMIC WALL TILE TO US, ALONG WITH COMMITMENT BY GOP TO INFORM USG IMMEDIATELY SHOULD THERE BE ANY CHANGE IN THAT SITUATION. IMPLICIT IN USG ACCEPTANCE OF GOP ASSURANCES WOULD BE UNDERSTANDING ON PART OF GOP THAT ANY SUCH NOTIFICATION WOULD RESULT IN

REOPENING OF CASE AND EXPEDITIOUS ACTION TO OFFSET BENEFITS.

3. USG REQUIRES NO ACKNOWLEDGMENT OF GUILT ON PART OF GOP AND IF IT WILL EASE RESOLUTION OF MATTER, GOP COULD, IN INSTRUMENT GIVING ASSURANCES, ASSERT POSITION THAT ACTS IN QUESTION ARE NOT IN VIEW OF GOP COUNTERAVAILABLE SUBSIDIES UNDER GATT'S PROVISIONS. KISSINGER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CERAMICS, POLICIES, COUNTERVAILING DUTIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 14 FEB 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE036586  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** HSHELLY:MEH  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760056-0412  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1976/newtext/t19760247/aaaabpgy.tel  
**Line Count:** 80  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN TRSE  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 MANILA 2229, 76 STATE 29118  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** morefirh  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 07 JUN 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <07 JUN 2004 by greeneet>; APPROVED <01 JUL 2004 by morefirh>  
**Review Markings:**

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**Review Media Identifier:**  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** COUNTERVAILING DUTY INVESTIGATION - CERAMIC WALL TILE  
**TAGS:** ETRD, RP, US  
**To:** MANILA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006